

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or

(2) has been held invalid by a final court judgment.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on April 9, 2015: Yeas 141, Nays 2, 2 present, not voting; passed by the Senate on May 22, 2015: Yeas 31, Nays 0.

Approved June 16, 2015.

Effective June 16, 2015.

**SELLER'S DISCLOSURES IN CONNECTION WITH
RESIDENTIAL REAL PROPERTY SUBJECT TO
GROUNDWATER REGULATION**

CHAPTER 524

H.B. No. 1221

AN ACT

relating to seller's disclosures in connection with residential real property subject to groundwater regulation.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 5.008(b), Property Code, is amended to read as follows:

(b) The notice must be executed and must, at a minimum, read substantially similar to the following:

SELLER'S DISCLOSURE NOTICE

CONCERNING THE PROPERTY AT _____

(Street Address and City)

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE
CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER
AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES
THE PURCHASER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF
ANY KIND BY SELLER OR SELLER'S AGENTS.

Seller __ is __ is not occupying the Property.

If unoccupied, how long since Seller has occupied the Property?

1. The Property has the items checked below:

Write Yes (Y), No (N), or Unknown (U).

<input type="checkbox"/> Range	<input type="checkbox"/> Oven	<input type="checkbox"/> Microwave
<input type="checkbox"/> Dishwasher	<input type="checkbox"/> Trash Compactor	<input type="checkbox"/> Disposal
<input type="checkbox"/> Washer/Dryer	<input type="checkbox"/> Window	<input type="checkbox"/> Rain Gutters
<input type="checkbox"/> Hookups	<input type="checkbox"/> Screens	
<input type="checkbox"/> Security System	<input type="checkbox"/> Fire Detection Equipment	<input type="checkbox"/> Intercom System
	<input type="checkbox"/> Smoke Detector	
	<input type="checkbox"/> Smoke Detector — Hearing Impaired	
	<input type="checkbox"/> Carbon Monoxide Alarm	
	<input type="checkbox"/> Emergency Escape Ladder(s)	
<input type="checkbox"/> TV Antenna	<input type="checkbox"/> Cable TV	<input type="checkbox"/> Satellite Dish
	<input type="checkbox"/> Wiring	
<input type="checkbox"/> Ceiling Fan(s)	<input type="checkbox"/> Attic Fan(s)	<input type="checkbox"/> Exhaust Fan(s)
<input type="checkbox"/> Central A/C	<input type="checkbox"/> Central Heating	<input type="checkbox"/> Wall/Window Air Conditioning
<input type="checkbox"/> Plumbing System	<input type="checkbox"/> Septic System	<input type="checkbox"/> Public Sewer System
<input type="checkbox"/> Patio/Decking	<input type="checkbox"/> Outdoor Grill	<input type="checkbox"/> Fences
<input type="checkbox"/> Pool	<input type="checkbox"/> Sauna	<input type="checkbox"/> Spa
		<input type="checkbox"/> Hot Tub
<input type="checkbox"/> Pool Equipment	<input type="checkbox"/> Pool Heater	<input type="checkbox"/> Automatic Lawn Sprinkler System
<input type="checkbox"/> Fireplace(s) & Chimney (Woodburning)		<input type="checkbox"/> Fireplace(s) & Chimney (Mock)
<input type="checkbox"/> Natural Gas Lines		<input type="checkbox"/> Gas Fixtures
<input type="checkbox"/> Liquid Propane Gas:	<input type="checkbox"/> LP Community (Captive)	<input type="checkbox"/> LP on Property
Garage: <input type="checkbox"/> Attached	<input type="checkbox"/> Not Attached	<input type="checkbox"/> Carport
Garage Door Opener(s):	<input type="checkbox"/> Electronic	<input type="checkbox"/> Control(s)
Water Heater:	<input type="checkbox"/> Gas	<input type="checkbox"/> Electric
Water Supply: <input type="checkbox"/> City	<input type="checkbox"/> Well <input type="checkbox"/> MUD	<input type="checkbox"/> Co-op
Roof Type: _____	Age: _____ (approx)	

Are you (Seller) aware of any of the above items that are not in working condition, that have known defects, or that are in need of repair? ☐ Yes ☐ No ☐ Unknown.

If yes, then describe. (Attach additional sheets if necessary):

2. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766, Health and Safety Code? ____ Yes ____ No ____ Unknown.

If the answer to the question above is no or unknown, explain. (Attach additional sheets if necessary): _____

*Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information. A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing impaired and specifies the locations for installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

3. Are you (Seller) aware of any known defects/malfunctions in any of the following?

Write Yes (Y) if you are aware, write No (N) if you are not aware.

___ Interior Walls	___ Ceilings	___ Floors
___ Exterior Walls	___ Doors	___ Windows
___ Roof	___ Foundation/ Slab(s)	___ Basement
___ Walls/Fences	___ Driveways	___ Sidewalks
___ Plumbing/Sewers/ Septics	___ Electrical Systems	___ Lighting Fixtures

___ Other Structural Components (Describe): _____

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): _____

4. Are you (Seller) aware of any of the following conditions?

Write Yes (Y) if you are aware, write No (N) if you are not aware.

___ Active Termites (includes wood-destroying insects)	___ Previous Structural or Roof Repair
___ Termite or Wood Rot Damage Needing Repair	___ Hazardous or Toxic Waste
___ Previous Termite Damage	___ Asbestos Components
___ Previous Termite	___ Urea formaldehyde

- | | |
|--|---|
| — Treatment | — Insulation |
| — Previous Flooding | — Radon Gas |
| — Improper Drainage | — Lead Based Paint |
| — Water Penetration | — Aluminum Wiring |
| — Located in 100-Year Floodplain | — Previous Fires |
| — Present Flood Insurance Coverage | — Unplatted Easements |
| — Landfill, Settling, Soil Movement, Fault Lines | — Subsurface Structure or Pits |
| — Single Blockable Main Drain in Pool/Hot Tub/Spa* | — Previous Use of Premises for Manufacture of Methamphetamine |

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): _____

*A single blockable main drain may cause a suction entrapment hazard for an individual.

5. Are you (Seller) aware of any item, equipment, or system in or on the property that is in need of repair? _____ Yes (if you are aware) _____ No (if you are not aware). If yes, explain (attach additional sheets as necessary).

6. Are you (Seller) aware of any of the following?

Write Yes (Y) if you *are* aware, write No (N) if you are not aware.

- Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at that time.
- Homeowners' Association or maintenance fees or assessments.
- Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others.
- Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
- Any lawsuits directly or indirectly affecting the Property.
- Any condition on the Property which materially affects the physical health or safety of an individual.
- Any rainwater harvesting system located on the property that is larger than 500 gallons and that uses a public water supply as an auxiliary water source.
- *Any portion of the property that is located in a groundwater conservation district or a subsidence district*

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): _____

7. If the property is located in a coastal area that is seaward of the Gulf Intracoastal

Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.

Date

Signature of Seller

The undersigned purchaser hereby acknowledges receipt of the foregoing notice.

Date

Signature of Purchaser

SECTION 2. Section 5.008(b), Property Code, as amended by this Act, applies only to a transfer of property that occurs on or after the effective date of this Act. A transfer of property that occurs before the effective date of this Act is governed by the law applicable to the transfer immediately before that date, and the former law is continued in effect for that purpose. For purposes of this section, a transfer of property occurs before the effective date of this Act if the contract binding the purchaser to purchase the property is executed before that date.

SECTION 3. It is the intent of the legislature that Section 5.008(b), Property Code, as amended by this Act, does not:

(1) require a seller to disclose that the residential real property subject to a notice required by that section is located in a groundwater conservation district or a subsidence district unless the seller has actual knowledge on the date of the notice that the real property is located in a groundwater conservation district or a subsidence district; or

(2) create any duty for any person to investigate to determine if the residential real property is located in a groundwater conservation district or a subsidence district.

SECTION 4. This Act takes effect January 1, 2016.

Passed by the House on April 9, 2015: Yeas 141, Nays 2, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1221 on May 21, 2015: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 19, 2015: Yeas 30, Nays 1.

Approved June 16, 2015.

Effective January 1, 2016.

**TRANSFER OF COMPENSATION EXPERIENCE FOR
PURPOSES OF THE TEXAS UNEMPLOYMENT
COMPENSATION ACT**

CHAPTER 525

H.B. No. 1251

AN ACT

**relating to the transfer of compensation experience for purposes of the Texas
Unemployment Compensation Act.**

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 204.081, Labor Code, is amended to read as follows: